

# **EXHIBIT G**

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September 28, 2020

Via E-mail

Michael Melkersen, Esq.,  
9633 S. Congress Street,  
New Market, VA 22844

Kevin R. Dean, Esq.,  
MotleyRice LLC,  
28 Bridgeside Blvd.,  
Mt. Pleasant, SC 29464.

Re: *Garcia, et al, v. Volkswagen Group of America, Inc., et al.,*  
Case No. 1:19-cv-331-LO-MSN

Dear Michael and Kevin:

I write on behalf of Volkswagen Group of America, Inc. (“VWGoA”) in the above-captioned matter regarding the search protocol that VWGoA plans to use to search for Electronically Stored Information (“ESI”) in response to Plaintiffs’ First Requests for Production to Defendant Volkswagen Group of America, Inc. (the “Requests”).

Based on its current knowledge and understanding of Plaintiffs’ Requests and the facts and issues in this Action, and subject to VWGoA’s objections to the Requests, please find below and attached (i) the proposed individual VWGoA custodians whose electronic documents VWGoA intends to search in responding to certain of the Requests, (ii) VWGoA’s proposed list of search terms in Exhibit A, (iii) the date range VWGoA will employ for these searches, and (iv) the proposed non-custodial sources VWGoA intends to search. We can discuss these proposals on our call tomorrow.

**Custodians.** VWGoA proposes to search the electronic documents of the following individual VWGoA custodians in responding to the Requests:

- **Jerohn Anderson**, Product Communications Specialist, VW Press & Public Relations
- **Michael Ashton**, CPO Manager, VW Fleet & Remarketing

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- **Mark Gillies**, Senior Manager, Product Communications, VW Press & Public Relations
- **Carrie Glynn**, Vehicle Asset Specialist, Corporate Vehicle Services
- **Andrew MacKnight**, Vehicle Operations Team Lead, Corporate Vehicle Services
- **Robert (Bob) McCarthy**, Senior Manager, Product Safety & Compliance
- **Bryan Reel**, Auto Shows & Events Lead, Experiential Marketing
- **Chris Sandvig**, Director, Group Customer Protection
- **Steven Slatton**, Assistant Manager, Program Planning & Production Control
- **Patrick Stowe**, Senior Manager, Customs & Trade Compliance
- **Ana Wolyniec de Freitas**, Director Quality Model Series & Projects

In addition to the foregoing custodians, VWGoA is also searching for non-custodial documents pursuant to paragraph V.E of the ESI Order as set forth below.

**Sources.** VWGoA intends to conduct electronic searches pursuant to the date range and search terms indicated herein across (i) all SourceOne email data for the VWGoA custodians listed above, and (ii) documents produced by VWGoA in the diesel-related multi-district litigations in federal court in California and state court in Virginia that are stored in the Rational database, without limitation to particular custodians.

VWGoA also intends to search the following non-custodial sources for information relevant to the Requests.

- **Listen Database**, which contains information regarding customer communications
- **Marketing group drives**, which contain information related to press-fleet and auto-show vehicles
- **NAVS repositories**, which contain information from North American Vehicle Services regarding press-fleet vehicles

**Date Range.** VWGoA intends to apply search terms to reasonably available electronic documents in VWGoA's possession, custody and control that were created, modified, sent, or received between January 1, 2007 and March 21, 2019, which covers the full relevant period provided in the Second Amended Complaint. *See* SAC ¶ 105. VWGoA does not presently intend to search back-up tapes, if any.

**Search Terms.** VWGoA proposes to run the search terms identified in Exhibit A across (i) the SourceOne email data for the VWGoA custodians listed above,

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and (ii) the Rational database without limitation by custodian, over the date range of January 1, 2007 to March 21, 2019.

***Easily Segregable Documents.*** VWGoA currently anticipates that it may respond to the following Requests, in whole or in part, without the use of search terms or other technological search methodology, if it determines that documents responsive to these particular Requests exist and are within VWGoA's possession, custody and control: 3, 4, 19, 20, 22, 24, 30, 32-36, 44, 45, 60, 62, 63, 66-72, 79, 81, 82, 84, 85, 95, 105.

VWGoA reserves the right to revise our custodian list, sources, date range, and/or search terms if they prove to be too broad or too narrow to identify potentially responsive documents. VWGoA also reserves the right to supplement, modify, or remove terms in light of further discovery, investigation, and trial preparation. Finally, VWGoA further reserves the right to modify these lists in response to Plaintiffs' own proposed search terms and custodian lists and as a result of any meet-and-confer sessions with you.

We look forward to discussing these issues with you.

Sincerely,

/s/ *Suhana S. Han*

Suhana S. Han

(Enclosure)

cc: Counsel of record

**Exhibit A**

Search String #1: Named Plaintiffs Terms

“Ricardo Garcia” OR  
“Duane Glover” OR  
“Paul Jacobson” OR  
“Gaetano Calise” OR  
“Mykhaylo Holovatyuk” OR  
“Brian Garcia” OR  
“Paul Thomson” OR  
“David Hartman” OR  
“Dave Hartman” OR  
WVWLF7AU2FW135993 OR  
WVGBV7AX1DW558422 OR  
WVWAP7AN6FE817987 OR  
WVWGU7AN3DE556558 OR  
WVWBN7AN3DE507979 OR  
3VW4T7AU7HM001719 OR  
3VW017AU4HM500479 OR  
WVGEP9BP1ED001525

Search String #2: Class Vehicles Terms

The 1,541 VINs listed in Exhibit A to VWGoA’s interrogatory responses

Search String #3: Recalls – NHTSA Communications Terms

To/from/cc email with @dot.gov domain name  
AND  
(18V329 OR 18-V-329 OR 18V-329 OR 18-V329 OR 19V679 OR 19-V-679 OR 19V-679 OR 19-V679 OR 01C5 OR 01C6 OR 01D7)

Search String #4: Recalls – Internal Communications Terms

To/from/cc email with @vw.com OR @volkswagen.de domain name  
AND  
(18V329 OR 18-V-329 OR 18V-329 OR 18-V329 OR 19V679 OR 19-V-679 OR 19V-679 OR 19-V679 OR 01C5 OR 01C6 OR 01D7)

Search String #5: Mileage on Title Application Terms

To/from/cc email with @vw.com OR @volkswagen.de domain name  
AND  
(Odometer OR mileage OR (default\* w/10 mileage) OR (10 w/10 mile) OR (ten w/10 mile) OR “10 mile” OR “10 miles” OR (mileage w/5 10) OR (mileage w/5 ten)) AND  
(title w/5 application)

Search String #6: Pre-Production Vehicles Terms

(preproduction OR pre-production OR "pre production" OR preseries OR pre-series OR "pre series" OR zero-series OR "zero series" OR 0-series)

AND

((("audit report" OR "Der Spiegel" OR "PR Number" OR "Option code" OR "ECR" OR "ECN" OR "engineering change order" OR "engineering change notice" OR "engineering change request" OR "Elektronischer Teilekatalog" OR ETKA)

OR

((comply\* OR compliance OR confirm\* OR conform\* OR meet OR test\*) w/10 ("Federal Motor Vehicle Safety Standards" OR "FMVSS")))

Search String #7: Carfax Communications Terms

To/from/cc email with @carfax.com domain name

AND

("contract" OR "agreement")

Search String #8: Carfax Price Calculator Terms

To/from/cc email with @vw.com OR @volkswagen.de domain name

AND

"Carfax price calculator"

Search String #9: Carfax Terms

Carfax

AND

((Certificate w/10 "buyback guarantee") OR "daily data" OR "data feed")

Search String #10: Modifications Terms

(Certificate w/5 alter\*) OR

(alter\* or modif\* or retrofit\* w/10 (manufactur\* w/5 (post\* OR after)))